

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

NELSON LORA-PENA

Plaintiff,

v.

FEDERAL BUREAU OF
INVESTIGATION, UNITED STATES
MARSHAL SERVICE, DEPUTY U.S.
MARSHAL ROBERT DENNEY,
DEPUTY U.S. MARSHAL JACK LEO,
DEPUTY U.S. MARSHAL WILLIAM
DAVID, SUP. DEP. U.S. MARSHAL
THOMAS DAVIS, FUGITIVE
APPREHENSION TASK FORCE,
TASK FORCE OFFICER FLETCHER,
TASK FORCE OFFICER DAILY, TASK
FORCE OFFICER BOWERS, and STATE
POLICE TROOPER HAHN

Defendants.

Civil Action No. 06-442-SLR

ORDER

AND NOW, this 13th day of February, 2007, upon consideration of the Motion to Substitute Party filed by the United States, and upon certification of Colm F. Connolly, United States Attorney, pursuant to his authority under 28 U.S.C. § 2679(d)(1) (2006) and 28 C.F.R. § 15.4(b) (2006), that the above-named individual defendants, namely, U.S. Marshals Jack Leo, William David, Robert Denney, and David Thomas;¹ Task Force Officers Fletcher, Daily, and Bowers; and State Police Trooper Hahn, were all members of the United States Marshal Service Fugitive Task Force acting within the scope of their employment as employees of the United States at the time of the conduct alleged in Plaintiff's Complaint, it is ORDERED that the

¹U.S. Marshal David Thomas is misnamed in the Complaint as "Thomas Davis."

Motion is GRANTED and the United States shall be substituted as the sole Defendant in place of the Individual Defendants with respect to Plaintiff's state law tort claims.


UNITED STATES DISTRICT JUDGE